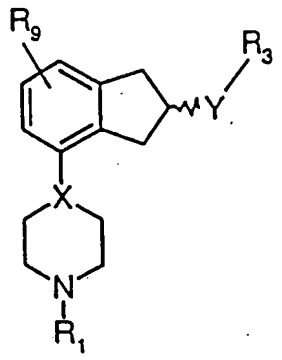
In the claims:

1. (currently amended) A compound ~~having~~ of the formula I



(I)

wherein

X is ~~N or~~ CH;

Y is NR_2CH_2, CH_2NR_2, NR_2CO, $CONR_2$ or NR_2SO_2

wherein R_2 is H or C_1-C_6 alkyl;

R_1 is H, C_1-C_6 alkyl or C_3-C_6 cycloalkyl;

R_3 is C_1-C_6 alkyl, C_3-C_6 cycloalkyl or $(CH_2)_n$-~~aryl~~aromatic ring,

wherein ~~aryl~~ the aromatic ring is phenyl or a heteroaromatic ring containing one or two heteroatoms selected from the group consisting of N, O and S and ~~which~~ wherein the aromatic ring may be mono- or di-substituted with R_4 and/or R_5;

wherein R_4 is H, C_1-C_6 alkyl, C_3-C_6 cycloalkyl, halogen, CN, CF_3, OH, C_1-C_6 alkoxy, NR_6R_7, OCF_3, SO_3CH_3, SO_3CF_3, $SO_2NR_6R_7$, phenyl, phenyl-C_1-C_6 alkyl, phenoxy, C_1-C_6 alkylphenyl, an optionally substituted heterocyclic ring containing one or two heteroatoms selected from the group consisting of N, O, S, SO and SO_2 wherein the substituent(s) is(are) selected from the group consisting of C_1-C_6 alkyl C_3-C_6 cycloalkyl and phenyl-C_1-C_6 alkyl, an optionally substituted heteroaromatic ring containing one or two heteroatoms selected from the group consisting of N, O and S, wherein the substituent(s) is (are) selected from the group consisting of C_1-C_6 alkyl, C_3-C_6 cycloalkyl and phenyl-C_1-C_6 alkyl, or COR_8;

wherein R_6 is H, C_1-C_6 alkyl or C_3-C_6 cycloalkyl;

R_7 is H, C_1-C_6 alkyl or C_3-C_6 cycloalkyl; and

R_8 is C_1-C_6 alkyl, C_3-C_6 cycloalkyl, CF_3, NR_6R_7, phenyl, a heteroaromatic ring containing one or two heteroatoms selected from the group consisting of N, O and S, or a heterocyclic ring containing one or two heteroatoms selected from the group consisting of N, O, S, SO and SO_2;

wherein R_5 is H, OH, CF_3, OCF_3, halogen, C_1-C_6 alkyl or C_1-C_6 alkoxy;

n is 0-4;

R_9 is H, C_1-C_6 alkyl, C_3-C_6 cycloalkyl, OCF_3, $OCHF_2$, OCH_2F, halogen, CN, CF_3, OH, C_1-C_6 alkoxy, C_1-C_6 alkoxy-C_1-C_6 alkyl, NR_6R_7, SO_3CH_3, SO_3CF_3, $SO_2NR_6R_7$, an unsubstituted or substituted heterocyclic or heteroaromatic ring containing one or two heteroatoms selected from the group consisting of N, O and S, wherein the substituent(s) is(are) C_1-C_6 alkyl; or COR_8; wherein R_6, R_7 and R_8 are as defined above, ~~as~~ wherein the compound is an *(R)*-enantiomer~~s~~, an *(S)*-enantiomer~~s~~, or a racemate in the form of a free base or a pharmaceutically acceptable salt or solvate thereof.

2. (currently amended) ~~A~~ The compound according to claim 1 wherein Y is NR_2CO or $CONR_2$.

3. (cancelled)

4. (currently amended) ~~A~~ The compound according to ~~any one of claims 1-3~~ claim 1 wherein R_1 is H or C_1-C_6 alkyl.

5. (currently amended) ~~A~~ The compound according to ~~any one of claims 1-4~~ claim 1 wherein R_3 is $(CH_2)_n$-~~aryl~~aromatic ring.

6. (currently amended) ~~A~~ The compound according to ~~any one of claims 1-4~~ claim 5 wherein ~~R_3 is $(CH_2)_n$-aryl which~~ the aromatic ring of substituent R_3 is substituted with R_4, ~~which~~ and R_4 is an optionally substituted heterocyclic or heteroaromatic ring containing one or two heteroatoms selected from the group consisting of N, O and ~~S,~~S; or COR_8.

7. (currently amended) ~~A~~ The compound according to ~~any one of claims 5 and 6~~ claim 5 or 6 wherein n is 0.

8. (currently amended) ~~A~~ The compound according to claim 6 wherein R_8 is NR_6R_7 or a heterocyclic ring containing two heteroatoms selected from N and O.

9. (currently amended) ~~A~~ The compound according to ~~any one of claims 1-8~~ claim 1 wherein R_9 is H, C_1-C_6 alkyl, $OCHF_2$, halogen or C_1-C_6 alkoxy.

10. (currently amended) ~~A~~ The compound according to ~~any one of claims 1-9~~ claim 1 wherein ~~X is N,~~ Y is NR_2CO and R_9 is C_1-C_6 alkoxy.

11. (currently amended) ~~A~~ The compound according to claim 10 wherein ~~X is N, Y is NR_2CO,~~ R_4 is morpholino or COR_8 ~~and R_9 is C_1-C_6 alkoxy~~.

12. (currently amended) ~~A~~ The compound according to ~~any one of claims 1-9~~ claim 1 wherein ~~X is N,~~ Y is NR_2CO and R_9 is C_1-C_6 alkyl.

13. (currently amended) ~~A~~ The compound according to claim 12 wherein ~~X is N, Y is NR_2CO,~~ R_4 is morpholino or COR_8 ~~and R_9 is C_1-C_6 alkyl~~.

14. (currently amended) ~~A~~ The compound according to ~~any one of claims 1-9~~ claim 1 wherein ~~X is N,~~ Y is NR_2CO and R_9 is H.

15. (currently amended) ~~A~~ The compound according to claim 14 wherein ~~X is N, Y is NR_2CO,~~ R_4 is morpholino or COR_8 ~~and R_9 is H~~.

16. (cancelled)

17. (currently amended) A pharmaceutical formulation comprising as active ingredient a therapeutically effective amount of the compound of ~~any one of claims 1 16 as~~ claim 1, wherein the compound is an enantiomer or racemate in the form of a free base or a pharmaceutically acceptable salt or solvate thereof optionally in association with diluents, excipients or inert carriers.

18. (currently amended) A ~~pharmaceutical formulation according to claim 17 for use in~~ method for the treatment of 5-hydroxytryptamine-mediated disorders, comprising administering to a patient in need of such treatment a therapeutically effective amount of the pharmaceutical formulation of claim 17.

19. (currently amended) A ~~pharmaceutical formulation according to any one of claims 17 or 18 for use in~~ method for the treatment of mood disorders, anxiety disorders, personality disorders, obesity, anorexia, bulimia, premenstrual syndrome, sexual disturbances, alcoholism, tobacco abuse, autism, attention deficit, hyperactivity disorder,

migraine, memory disorders, pathological aggression, schizophrenia, endocrine disorders, stroke, dyskinesia, Parkinson's disease, thermoregulatory disorders, pain, hypertension, urinary incontinence or vasospasm; or for inhibition of tumor growth ~~control of tumors~~ , comprising administering to a patient in need of such treatment a therapeutically effective amount of the pharmaceutical formulation of claim 17.

20. (cancelled)

21. (currently amended) A ~~compound as defined in claim 20 for use in~~ method for the treatment of 5-hydroxytryptamine-mediated disorders in the central nervous system, comprising administering to a patient in need of such treatment a therapeutically effective amount of the pharmaceutical formulation of claim 17.

22-29. (cancelled)

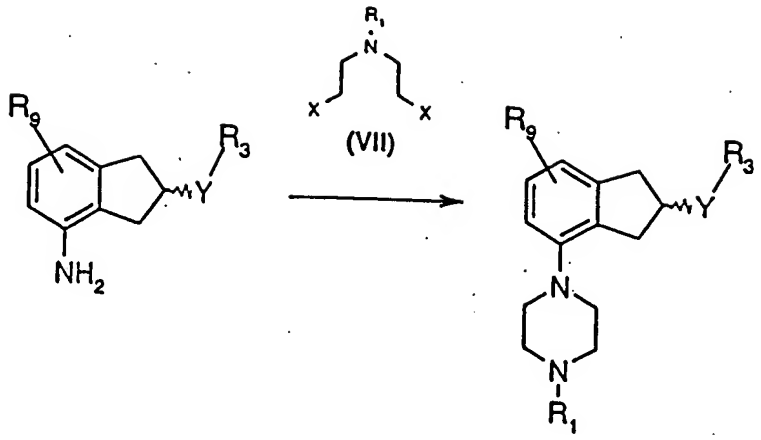
30. (currently amended) A method for the treatment of 5-hydroxytryptamine-mediated disorders in the central nervous system and/or urinary incontinence or vasospasm, or for inhibition of tumor growth ~~control of tumors by~~ , comprising administering to a ~~mammal including man~~ patient in need of such ~~a~~ treatment a therapeutically effective amount of a compound defined in ~~any of claims 1-16~~ claim 1.

31. (currently amended) ~~A~~ The method according to claim 30 for the treatment of mood disorders, anxiety disorders, personality disorders, obesity, anorexia, bulimia, premenstrual syndrome, sexual disturbances, alcoholism, tobacco abuse, autism, attention deficit, hyperactivity disorder, migraine, memory disorders, pathological aggression, schizophrenia, endocrine disorders, stroke, dyskinesia, Parkinson's disease, thermoregulatory disorders, pain or hypertension.

32. (cancelled)

33. (currently amended) A method ~~according to claim 32 wherein the compound according to any one of claims 1-16 is used as a h5-HT_{1B} antagonist~~ for the treatment of 5-hydroxytryptamine-mediated disorders which require treatment with an h5-HT_{1B} antagonist, comprising administering to a patient in need of such treatment a therapeutically effective amount of a compound defined in claim 1.

34. (currently amended) A process for the preparation of the compound of formula **I** according to claim 1 ~~by~~ , comprising reacting, in the case wherein Y is $CONR_2$, and R_1, R_2, R_3 and R_9 ~~is~~ are as defined ~~in general formula I~~ in claim 1, a compound of formula **A**



(A) (I)

with a compound of formula **VII**, wherein X is a leaving group.

35. (cancelled)